

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 DARNELL WEBSTER,

4 Plaintiff,

Case No. 3:20-cv-0070-JAD-WGC

ORDER

5 v.

6 NAPHCARE, et al.,

7 Defendants.  
8  
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10 On June 4, 2021, the Court issued a screening order dismissing Plaintiff's claims  
11 of objective deliberate indifference to adequate medical care as against Defendants Clark  
12 County and Joe Lombardo with leave to amend and permitting Plaintiff's claims of  
13 deliberate indifference against Defendants Doe Medical Staff (once he learns of his or  
14 her identity and moves to amend his complaint to substitute in that true name) and  
15 Naphcare to proceed. (ECF No. 3 at 13). The Court granted Plaintiff 30 days from the  
16 date of that order to file an amended complaint curing the deficiencies of Plaintiff's claims  
17 of objective deliberate indifference as against Defendants Clark County and Joe  
18 Lombardo. (*Id.*) The Court specifically stated that if Plaintiff chose not to file an amended  
19 complaint, the action would proceed on Plaintiff's claims of objective deliberate  
20 indifference to adequate medical care as against Defendants Doe Medical Staff and  
21 Naphcare. (*Id.* at 13-14). Plaintiff has not filed an amended complaint. Pursuant to the  
22 screening order, this action will proceed on Plaintiff's claims of objective deliberate  
23 indifference to adequate medical care as against Defendants Doe Medical Staff (once  
24 Plaintiff learns of his or her identity and successfully moves to amend his complaint to  
25 substitute in that true name) and Naphcare. Therefore,

26 IT IS ORDERED that, pursuant to the Court's screening order (ECF No. 3), this  
27 action will proceed on Plaintiff's claims of objective deliberate indifference to adequate  
28 medical care as against Defendants Doe Medical Staff (once he learns of his or her

1 identity and successfully moves to amend his complaint to substitute in that true name)  
2 and Naphcare.

3 IT IS FURTHER ORDERED that the Clerk of Court **WILL ISSUE** summons for  
4 Defendant Naphcare, **AND DELIVER THE SAME**, to the U.S. Marshal for service. The  
5 Clerk **WILL SEND** to Plaintiff **one** USM-285 form. The Clerk also **WILL SEND** sufficient  
6 copies of the complaint (ECF No. 4) and this order to the U.S. Marshal for service on  
7 Defendant. Plaintiff will have **thirty days** within which to furnish to the U.S. Marshal the  
8 required USM-285 forms with relevant information as to the Defendant. Within **twenty**  
9 **days** after receiving from the U.S. Marshal a copy of the USM-285 forms showing whether  
10 service has been accomplished, Plaintiff must file a notice with the Court identifying  
11 whether or not Defendant was served. If Plaintiff wishes to have service again attempted  
12 on an unserved Defendant, then a motion must be filed with the Court identifying the  
13 unserved Defendant and specifying a more detailed name and address for said  
14 Defendant, or whether some other manner of service should be attempted.

15 IT IS FURTHER ORDERED that henceforth, Plaintiff will serve upon Defendants  
16 or, if appearance has been entered by counsel, upon the attorney or attorneys, a copy of  
17 every pleading, motion or other document submitted for consideration by the Court.  
18 Plaintiff will include with the original paper submitted for filing a certificate stating the date  
19 that a true and correct copy of the document was mailed to the Defendant or counsel for  
20 the Defendant. The Court may disregard any paper received by a district judge or  
21 magistrate judge which has not been filed with the clerk, and any paper received by a  
22 district judge, magistrate judge or the clerk which fails to include a certificate of service.

23 DATED: July 15, 2021.

24 *William G. Cobb*

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United States Magistrate Judge